

**AMENDMENTS TO THE CLAIMS**

The listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims**

1. (Currently Amended) A method ~~Method~~ of communicating digital data, comprising the steps of,  
cyclically transmitting frames (~~B~~) comprising  
a first number of symbols according to a first keying mode (~~H~~) using a first constellation,  
a second number of symbols according to a second keying mode (~~L~~) using a second constellation, whereby the first constellation includes more signaling points than the second constellation,  
the first and second keying modes (~~H, L~~) being used at predetermined positions in the frame, whereby  
both the symbols according to the first and second keying mode carry information under at least an operative traffic phase.
2. (Currently Amended) The method ~~Method~~ according to claim 1, wherein the number of symbols sent under the second keying mode (~~L~~) in a frame (~~B~~) amounts to 1.
3. (Currently Amended) The method ~~Method~~ according to claim 1 ~~or 2~~, wherein the second constellation is a subset of the first constellation.
4. (Currently Amended) The method ~~Method~~ according to claim 1 ~~any of claims 1-3~~, wherein the second constellation comprises at least two signaling points.

5. (Currently Amended) The method Method according to claim 1 ~~any preceding claim~~, wherein 1 symbol out of 5-20 in a frame B is modulated according to the second keying mode (~~L~~).

6. (Currently Amended) The method Method according to claim 1 ~~any of claims 1-4~~, wherein 1 symbol out of 20-100 in a frame B is modulated according to the second keying mode (~~L~~).

7. (Currently Amended) The method Method according to claim 1 ~~any of claims 1-6~~, wherein a frame alignment word (~~FW~~) comprising a sequence of predetermined symbols, is inserted periodically after a plurality of frames (~~B~~) is being transmitted.

8. (Currently Amended) The method Method according to claim 7, wherein a frame alignment word is inserted for every 1000-10.000 symbols.

9. (Currently Amended) The method Method according to claim 2 ~~or any of claims 2-6~~, wherein during reception,  
for each incoming frame, ordering incoming symbols according to their position in the frame (~~B~~),

assigning each incoming symbol to a given field of a register (~~24~~) having a number of fields (~~S, St+,~~) corresponding to the number of symbols (~~t+1~~) in the frame, whereby each field comprises a cumulative value, and whereby a symbol of a given frame position is assigned a field of a corresponding order number,

updating the cumulative value of the given field in the register with a first value (~~-1~~) if the respective symbol belongs to the second constellation, otherwise updating the respective field with a second value (~~+1~~),

performing updates of multiple incoming frames of symbols,  
from the accumulative values of the respective fields establishing at which positions in the incoming frame (~~B~~) the first, respectively the second, keying mode is used.

10. (Currently Amended) The method ~~Method~~ according to claim 7 ~~or~~ 8, wherein the frame alignment word indicates one of a predetermined group of insertion rates ( $Q$ ), the insertion rate pertaining to a predetermined rate of symbols being inserted according to the second keying order mode in relation to the symbols of the first keying order mode, is used after the frame alignment word.

11. (Currently Amended) The method ~~Method~~ according to claim 10, wherein the insertion rate depends on the given channel conditions which applies for the channel.

12. (Currently Amended) The method ~~Method~~ according to claim 11, wherein the measured bit error rate at the receiver is used to decide which insertion rate is used for modulation.

13. (Currently Amended) The method ~~Method~~ according to claim 1 ~~any of claims 1-12~~, wherein a weighting function ( $WE$ ) in the receiver is applied to an error control signal ( $E'$ ) for symbols coded according to the first keying mode ( $H$ ).

14. (Currently Amended) The method ~~Method~~ according to claim 13, wherein the error signal ( $WE$ ) is reduced when the detected signal ( $E', E$ ) approaches the decision boundaries of the first keying mode ( $H$ ) and wherein responses outside the detector boundaries of the given detected symbol of the first keying mode ( $H$ ) are subdued.

15. (Currently Amended) The method ~~Method~~ according to claim 14, wherein a parabolic weighting function is utilized inside the decision boundaries of the first keying mode ( $H$ ).

16. (Currently Amended) The method ~~Method~~ according to claim 13 ~~[[~~ 15]]], wherein no weighting function is applied to symbols associated with the second keying mode.

17. (Currently Amended) The method ~~Method~~ according to claim 1 ~~any preceding claim~~, wherein the method is used in combination with forward error correction coding.